

HOLLY T. SHIKADA 4017
Attorney General of Hawaii

CARON M. INAGAKI 3835
KENDALL J. MOSER 6515
Deputy Attorneys General
Department of the Attorney
General, State of Hawaii
425 Queen Street
Honolulu, Hawaii 96813
Telephone: (808) 586-1494
E-mail: Caron.M.Inagaki@hawaii.gov
Kendall.J.Moser@hawaii.gov

Attorneys for Defendants
STATE OF HAWAII, DEPARTMENT
OF PUBLIC SAFETY, DR. JOHN
COMPTON, DR. MELISSA VARGO,
AND HAWAII STATE HOSPITAL

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

JOSHUA SPRIESTERSBACH,

Plaintiff,

vs.

STATE OF HAWAII, CITY AND
COUNTY OF HONOLULU,
OFFICER ABRAHAM K. BRUHN,
DEPARTMENT OF PUBLIC
SAFETY, OFFICE OF THE
PUBLIC DEFENDER, NIETZSCHE
LYNN TOLAN, MICHELLE
MURAOKA, LESLIE MALOIAN
JACQUELINE ESSER, JASON
BAKER, MERLINDA GARMA,
SETH PATEK, DR. JOHN

CIVIL NO. 21-00456 LEK-RT

DEFENDANTS DR. JOHN COMPTON
AND DR. MELISSA VARGO'S REPLY
IN SUPPORT OF SUBSTANTIVE
JOINDER IN DEFENDANT DR.
SHARON TISZA'S MOTION TO
DISMISS COMPLAINT; CERTIFICATE
OF SERVICE

ECF No. 80

...” Plaintiff argues that because the doctors evaluated “the wrong person” they therefore do not have immunity. Id. at p. 9.

The doctors were appointed by the Court to examine and report on *the Plaintiff*, regardless of the various names he used in the past, and by so doing were acting in furtherance of the Court’s orders. For example, as Plaintiff points out on p. 5 of his opposition, Dr. Compton noted that prior records for the Plaintiff listed the “additional” name of Joshua Spriestersbach, but Dr. Compton wrote that “I shall use the name on the Court order, Thomas Castleberry in this report.” Apparently, Plaintiff’s position is that if Dr. Compton had instead called him Joshua Spriestersbach in his report then everything would have been copacetic.

It is clear that Drs. Compton and Vargo were acting as arms of the court and pursuant to the orders described above. Accordingly, the doctors are entitled to the immunity given to the Court which issued those orders.

II. CONCLUSION

Based on the foregoing reasons and authorities, and those in their substantive joinder, Dr. Compton and Dr. Vargo respectfully request that this Court grant Dr. Tisza’s Motion to Dismiss and their joinder therein.

DATED: Honolulu, Hawaii, April 28, 2022.

STATE OF HAWAII

HOLLY T. SHIKADA
Attorney General of Hawaii

/s/ Kendall J. Moser
KENDALL J. MOSER
Deputy Attorney General

Attorney for Defendants
STATE OF HAWAII,
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SAFETY, DR. JOHN
COMPTON, DR. MELISSA
VARGO, AND HAWAII
STATE HOSPITAL